



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF ARCHITECTS

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, July 2, 2014 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	September 3, 2014

MEMBERS PRESENT

John Mateyko, RA, Professional Member, President
Paul Guggenberger, RA, Professional Member
Todd Breck, RA, Professional Member
Prameela Kaza, Public Member
Kevin Wilson, RA, Professional Member, Secretary
Joseph Schorah, Public Member
Elizabeth Happoldt, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Meaghan Jerman, Administrative Specialist II
Flora Peer, Administrative Specialist II

ABSENT

Richard Wertz, RA, Professional Member

OTHERS PRESENT

Lester Escobedo, RA
Nancy Payne, AIA Delaware
Vera Sietz, Wilcox & Fetzer

Call to Order

Mr. Mateyko called the meeting to order at 1:35 p.m.

Review and Approval of Minutes

The Board reviewed the minutes of the June 4, 2014 meeting. Mr. Breck made a motion, seconded by Mr. Schorah to accept the minutes as presented. The motion carried unanimously.

Rules and Regulations Public Hearing

See Hearing Notes Below

Proposal to Deny Hearing

See Hearing Notes Below

Unfinished Business

Re-Review of Application of Jamie Fishman – Direct Application Tabled at May and June Meeting

Mr. Guggenberger reviewed the application of Mr. Fishman. Mr. Guggenberger explained Mr. Fishman had been tabled at the June meeting as his degree was not NAAB accredited. Mr. Guggenberger reports that he took last month to review Mr. Fishman's transcript in correlation to the NAAB requirements for NCARB. Mr. Guggenberger states that he found Mr. Fishman to only be 4 credits shy of the NCARB requirements in the area of Practice. Mr. Fishman graduated from the University of Maryland and the program obtained NAAB accreditation the year after Mr. Fishman graduated. Mr. Guggenberger stated that due to the accreditation as well as Mr. Fishman's over 30 years of practice experience he believes the Board can accept the equivalency of practice to make up for the 4 credits. Mr. Guggenberger made a motion to approve Mr. Fishman's application for licensure seconded by Mr. Breck. The motion passed unanimously.

Discussion of Regulation Changes to Further Clarify Registration Requirements

Mr. Breck suggested that the Board consider using NCARB as a guideline for licensure requirements and allowing the Board to consider exceptions to NCARB standards. Mr. Wilson agreed with this suggestion and feels this allows the Board some flexibility and by using NCARB as a standard it can be individualized by each applicant. Mr. Breck suggested the Legislative Committee that was formed meet prior to the September meeting to begin reviewing requirements. Ms. Kelly explained that the Committee meetings need to be noticed and held publicly. The committee members explained that they would like to get together and brain storm and then will bring their thoughts and suggestions back to the Board for discussion. Ms. Kelly explained that she will discuss with the Board's regular counsel and let the Board members know if they can meet informally prior to the September meeting.

New Business

New Complaints to Assign a Contact Person

Ms. Jerman advised the Board that Complaint 07-01-14 was received by the Division. Ms. Jerman provided an updated copy of the complaint listing for Board members to review.

Review of Correspondence from Delaware Tech

The Board reviewed the correspondence received from Delaware Tech. The Board agreed that no action was needed at this time.

Discussion and Legal Consult from Board Counsel on Status of 2010 Letter to Delaware Tech

This item was tabled until the September meeting when the Board's regular counsel will return.

Review Correspondence from NCARB Regarding Changes to IDP, BEA, and BEFA

NCARB is requesting Board comments on proposed changes to the Intern Development Program (IDP), the Broadly Experienced Architect Program (BEA), and the Broadly Experienced Foreign Architect Program (BEFA). Changes to the IDP specifically relate to the hours required to complete the program and the categories and areas in which interns need to document their experience, while changes to the BEA and BEFA programs relate to eligibility requirements and review processes to complete the programs for NCARB certification.

The Board agreed to review the correspondence sent out by Ms. Jerman from NCARB independently as it is lengthy. Mr. Mateyko requested that Board members review the material and provide any comments to Ms. Jerman by early August. Ms. Jerman will then disseminate any comments received to the full Board. Mr. Wilson provided an overview of what NCARB is suggesting regarding changes to the IDP which would remove elective credit hours. Mr. Guggenberger explained the result of this is taking a three year IDP process to a two year process. The BEA/BEFA programs are also being streamlined. Mr. Guggenberger explained that they are looking to make it much easier to get an NCARB certificate. NCARB will also require foreign applicants to take the ARE.

Mr. Guggenberger shared that the primary reason NCARB states they are changing the IDP is that people found it confusing. Mr. Wilson said the BEA/BEFA changes are good as they eliminate redundancy. The Board will discuss this matter further at the September meeting.

Ratification of Certificate of Authorization Application(s)

Mr. Wilson made a motion, seconded by Ms. Kaza to ratify the Certificate of Authorization's issued below. The motion carried unanimously with Mr. Mateyko recusing from the vote.

The Larson Architectural Group, Inc. Ayers Saint Gross, Inc. 360 Architecture-MO, PC.

Chicago Design Network, Inc.

Ratification of Reciprocity Applications – NCARB Certificate

Mr. Schorah made a motion, seconded by Ms. Kaza to ratify the applicants by NCARB certification. The motion carried unanimously.

Frank Dittenhafer II Heather Johnson Robert Young Donald Wallin

Christopher Kirschner Peter Bivens Tomra Russell

Discussion of NCARB Annual Meeting

Board members who attended the NCARB Annual Meeting in Philadelphia shared their experience at the annual meeting. Mr. Guggenberger shared that he felt the educational opportunities were very worthwhile and found the speakers to be very interesting. Mr. Mateyko reported that he attended the Region 3 meeting. Mr. Mateyko explained a topic that was discussed was an additional optional certification for coastal construction. This would be modeled on similar logic to what architects in Alaska have for building over tundra as a requirement for licensure. Mr. Breck cautioned the Board about adding an additional requirement for licensure. Mr. Wilson agreed that there may be extra education for such areas as hurricane prone areas in the form of certification or continuing education. Mr. Wilson offered that it may not be the Board's responsibility to monitor this, but the jurisdiction itself.

Review of Application(s) for ARE

Toren Williams

Mr. Breck reviewed the application of Mr. Williams. Mr. Breck advised the Board that Mr. Williams does meet the requirements to sit for the ARE, seconded by Mr. Guggenberger. The motion passed unanimously with Mr. Wilson recusing from the vote.

Review of Applications by Direct Application

Matthew Piotrowski

Mr. Guggenberger reviewed Mr. Piotrowski's application. Mr. Piotrowski has a NAAB accredited degree. Mr. Guggenberger made a motion to approve Mr. Piotrowski's application for licensure, seconded by Mr. Breck. The motion passed unanimously.

Other Business Before the Board (for discussion only)

There was no other business before the Board.

Public Comment

There was no public comment.

Next Scheduled Meeting

The next meeting will be held on September 3, 2014 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

With no further business before the board, Mr. Breck made a motion to adjourn the public meeting, seconded by Mr. Wilson. The motion carried unanimously. The meeting adjourned at 2: 50 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Meaghan Jerman".

Meaghan Jerman
Administrative Specialist II

HEARING – Rules and Regulations

The Delaware Board of Architects held a hearing on September 4, 2013 at 1:30 p.m. in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, Delaware.

PRESENT: John Mateyko, RA, Professional Member, President; Kevin Wilson, RA, Professional Member, Secretary; Paul Guggenberger, RA, Professional Member; Prameela Kaza, Public Member; Elizabeth Happoldt, Public Member; Todd Breck, RA, Professional Member; Joseph Schorah, Public Member

PUBLIC PRESENT: Nancy Payne, AIA Delaware, Lester Escobedo, RA

PURPOSE: Rules and Regulations

The Delaware Board of Architects, pursuant to 24 *Del.C.* § 306(a)(1), proposes to add regulation 7.6.1.1 and amend regulation 7.6.2. The proposed addition at 7.6.1.1 seeks to grant authority to licensees to utilize electronic seals whenever the use of an architect's seal is permitted. The amendment at 7.6.2 seeks to allow architects to utilize an electronic signature when signed and sealed submissions are published and/or submitted under the current requirements of regulation 7.6.2.

PRESIDING: John Mateyko, Board Chair

BOARD STAFF: Meaghan Jerman, Administrative Specialist II, Flora Peer, Administrative Specialist II

BOARD COUNSEL: Eileen Kelly, DAG

COURT REPORTER PRESENT: Vera Seitz, Wilcox and Fetzer

TIME STARTED: 1:45 p.m.

The hearing began at 1:45 p.m. The court reporter took verbatim testimony. Board members introduced themselves. Ms. Kelly read aloud the purpose of the hearing as stated above. Ms. Kelly confirmed that the proposed changes and notifications of the public hearing were published in two newspapers as well as the Delaware Register of Regulations on June 1, 2014. Ms. Kelly introduced the affidavit of publication from The News Journal as Board's Exhibit 1, and the affidavit of publication from the Delaware State News as Board's Exhibit 2. No written comments were received. There was no public comment. The hearing adjourned at 1:48 p.m.

HEARING – Lester Escobedo

The Delaware Board of Architects held a hearing on July 2, 2014 at 1:55 p.m. in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: John Mateyko, RA, Professional Member, President; Kevin Wilson, RA, Professional Member, Secretary; Paul Guggenberger, RA, Professional Member; Prameela Kaza, Public Member; Elizabeth Happoldt, Public Member; Todd Breck, RA, Professional Member; Joseph Schorah, Public Member

RECUSED: None

PURPOSE: Propose to Deny

PRESIDING: John Mateyko

BOARD STAFF: Meaghan Jerman, Administrative Specialist II, Flora Peer, Administrative Specialist II

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Eileen Kelly, DAG

RESPONDENT: Lester Escobedo

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE BOARD: Meaghan Jerman, Division of Professional Regulation

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Vera Sietz, Wilcox and Fetzer

TIME STARTED: 1:50 p.m.

The court reporter took verbatim testimony. The Board members introduced themselves. Ms. Kelly described the reason for the hearing and confirmed Mr. Escobedo was present.

Ms. Kelly explained that the Board had previously reviewed Mr. Escobedo's application for licensure at the June 4, 2014 Board meeting and proposed to deny it pursuant to 24 Del. C. § 307(c)(4), which permits the Board to refuse or reject an applicant who has "practiced architecture without being registered in violation of the registration laws of Delaware." According to Mr. Escobedo's May 23, 2014 correspondence to the Board, Mr. Escobedo indicated that he may be practicing architecture as the letter stated "he had a client in Delaware and the project is just about ready to submit for a building permit". Therefore the Board Proposed to Deny Mr. Escobedo's application.

Board Exhibit #1 included a complete copy of Mr. Escobedo's application. Mr. Escobedo was sworn in and read a statement for the record. Mr. Escobedo explained that his correspondence was in response to a clerical error made by the Division and he used an incriminating statement out of frustration with the error. Mr. Escobedo stated that he has not been actively engaged in working on a project in Delaware. The Board questioned Mr. Escobedo. Mr. Escobedo asserted that he has not practiced architecture in the State of Delaware. Ms. Jerman was sworn in and confirmed that there was a processing error with Mr. Escobedo's application as it was inaccurately noted in the credentialing software that Mr. Escobedo had been licensed in New York. The Board went off the

record to deliberate at 2:10 p.m. The Board went back on the record at 2:12 p.m. Mr. Breck made a motion to grant Mr. Escobedo a license in Delaware, seconded by Ms. Kaza. The motion passed unanimously.

The hearing concluded at 2:15 p.m.